

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

NOTE: There is one Extraordinary issue to the Official Gazette, Series II No. 1 dated 6-4-95 as follows:

Extraordinary dated 7-4-95 from pages 7 to 8 regarding Notification from Industries Department.

### GOVERNMENT OF GOA

General Administration and Coordination Department

Order

No. 35/4/95-GA&C

As a mark of respect to the memory of former Prime Minister of India, Shri Morarji Desai, the Government of Goa has declared seven - day State Mourning.

2. All State Government offices will remain closed tomorrow, viz., 11th April, 1995 as a mark of respect to the departed soul under the Negotiable Instruments Act, 1881.

3. During the State mourning period ending on 16th April, 1995, the National Flag will be flown at half mast on all buildings throughout the State and there will be no official entertainment.

4. The concerned Heads of the Departments/Offices of the Government are directed to comply with this order immediately.

D. C. Misra, Chief Secretary.

Panaji, 10th April, 1995.

### Home (General) Department

Order

No. 13/3/84-HD (G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (Central Act 65 of 1980), the Government of Goa being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, North Goa District, Panaji and District Magistrate, South Goa District, Margao that it is necessary so to do, hereby directs that the said District Magistrates may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of their jurisdiction for a period of three months from 5-4-1995.

By order and in the name of the Governor of Goa.

D. M. Katkar, Under Secretary (Home).

Panaji, 22nd March, 1995.

Department of Cooperation

Office of the Asstt. Registrar of Cooperative Societies

Notification

No. ARCS/CZ/Urban Credit/88/ADM/93

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Co-operative Societies Act, 1960 as applied to the State of Goa, The Devaki Krishna Urban Co-operative Credit Society Ltd., Chodan-Tiswadi-Goa is registered under Code Symbol No. ARCS/CZ/Urban/Credit-8(a)/92/Goa.

Sd/- (D. M. Pathan), Asstt. Registrar of Coop. Societies, (Central Zone).

Panaji, 3rd February, 1995.

Certificate of Registration

The Devaki Krishna Urban Cooperative Credit Society Ltd., Chodan, Tiswadi-Goa has been registered on 3-2-1995 and it bears registration Code Symbol No. ARCS/CZ/Urban/Credit-8(a)/92/Goa and it is classified as "Resource Society" under Sub-Classification No. 8(a) "Credit Resource Society" in terms of Rule 9 of the Coop. Societies Rules, 1962 for the State of Goa.

Sd/- (D. M. Pathan), Asstt. Registrar of Coop. Societies, (Central Zone).

Panaji, 3rd February, 1995.

Notification

No. ARCS/CZ/Credit/102/ADM/94-95

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Co-operative Societies Act, 1960 as applied to the State of Goa, The Shiroda Progressive Finance Cooperative Credit Society Ltd., Shiroda-Ponda, Goa is registered under Code Symbol No. ARCS/CZ/Urban Credit-8(a)/93/Goa.

Sd/- (D. M. Pathan), Asstt. Registrar of Coop. Societies, (Central Zone).

Panaji, 14th February, 1995.

Certificate of Registration

The Shiroda Progressive Finance Cooperative Credit Society Ltd., Shiroda-Ponda-Goa, has been registered on 14-2-1995 and it bears registration Code Symbol No. ARCS/CZ/Urban Credit-8(a)/93/Goa and it is classified as "Resource Society" under Sub-Classification No. 8(a) "Credit

Resource Society" in terms of Rule 9 of the Coop. Societies Rules, 1962 for the State of Goa.

Sd/- (D. M. Pathan), Asstt. Registrar of Coop. Societies, (Central Zone).

Panaji, 14th February, 1995.

#### Notification

No. 5-549-1995/ARSZ/MKT

In exercise of the powers vested in me under Section 9 of the Maharashtra Co-operative Societies Act, 1960 as applied to the State of Goa, Canacona Sahakari Kharedi Vikri Saunstha Maryadit, Shristhal, Canacona-Goa is registered under code symbol No. AMS-4/South Goa/95.

Sd/- (R. V. Sail), Asstt. Registrar of Coop. Societies, (South Zone).

Margao, 10th February, 1995.

#### Certificate of Registration

Canacona Sahakari Kharedi Vikri Saunstha Maryadit, Shristhal, Canacona-Goa has been registered on 10-2-1995 and it bears registration code symbol No. AMS-4/South Goa/95 and it is classified as "Agricultural Marketing Society" in terms of Rule 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

Sd/- (R. V. Sail), Asstt. Registrar of Coop. Societies, (South Zone).

Margao, 10th February, 1995.

#### Notification

No. 5-550-1995/ARSZ/Credit

In exercise of the powers vested in me under Section 9 of the Maharashtra Co-operative Societies Act, 1960 as applied to the State of Goa, The D. C. I. Pharmaceuticals Employees Cooperative Credit Society Ltd., Margao-Goa is registered under code symbol No. 8-RES-(a)-74/South Goa/95.

Sd/- (R. V. Sail), Asstt. Registrar of Coop. Societies, (South Zone).

Margao, 15th February, 1995.

#### Certificate of Registration

The D. C. I. Pharmaceuticals Employees Cooperative Credit Society Ltd., Margao-Goa has been registered on 15-2-1995 and it bears registration code symbol No. 8-RES-(a)-74/South Goa/95 and it is classified as "Resource Society" under sub-classification (a) of clause 8 in terms of Rule 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

Sd/- (R. V. Sail), Asstt. Registrar of Coop. Societies, (South Zone).

Margao, 15th February, 1995.

### Public Health Department

#### Order

No. 8/28/89-II/PHD

Government is pleased to appoint Dr. Francis P. Noronha, Lecturer in Surgery to the post of Assistant Professor of Surgery in Goa Medical College in the pay scale of Rs. 3000-100-3500-125-5000 + N.P.A. + Spl. pay of Rs. 100/- and other allowances, on ad-hoc basis, with immediate effect for a period of 6 months or till the post is filled on regular basis through Goa Public Service Commission, whichever is earlier.

The above appointment is made against the post of Assistant Professor of Surgery vacated by Dr. A. N. Jadhav.

The appointment shall not bestow on Dr. Noronha any claim for regular appointment and the service rendered on ad-hoc basis in the grade will not count for the purpose of seniority in the grade and for promotion to the next higher grade.

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Health).

Panaji, 13th March, 1995.

#### Order

No. 4-10-92-I/PHD (1)

Read:- Government Order No. 4-10-92-I/PHD (3) dated 13-2-95.

The promotion of Dr. Prakash Kanekar, Medical Officer made vide Government Order No. 4-10-92-I/PHD (3) dated 13-2-95 to the post of Health Officer under the Directorate of Health Services and his posting at Primary Health Centre, Valpoi is hereby cancelled.

Consequent upon the cancellation of his promotion to the post of Health Officer, the said Dr. Prakash Kanekar, Medical Officer is transferred and posted at Paediatric Ward, Siolim with immediate effect against vacant post.

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Health).

Panaji, 21st March, 1995.

### Department of Mines

#### Order

No. 96/80/87-Mines

In exercise of the powers conferred by sub-section (2) of section 8 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), read with sub-rule (2) of rule 24A of the Mineral Concession Rules, 1960, the Government of Goa hereby renews the mining lease with the previous approval of the Central Government in favour of M/s. Dempo Mining Corporation Ltd. (hereinafter referred to as 'The Lessee'), for undertaking mining operations for Iron ore in the area shown in the schedule appended to this Order for a period of 10 years subject to the special conditions as laid down hereunder to be incorporated in the lease deed which shall be executed by the Lessee and the Governor of Goa:—

1. The Lessee shall carry out at his expenses such experiments on remedial measures as directed by the Director of Industries and Mines, Government of Goa or any other officer authorised by him and shall report the result to him.
2. The Lessee shall allow, co-operate with and provide all facilities to the experts authorised by the Government to carry out research work or experiments on remedial measures in his leased area or dumping sites.
3. The Lessee shall, at his own expenses undertake remedial measures to the satisfaction of the Director of Industries and Mines, Government of Goa (hereinafter called Director of Industries and Mines) to prevent damage to the agricultural or forest lands due to the flow of mining rejection or wastes or slimes resulting from his mining operations, within a reasonable time or such time as may be directed by the Director of Industries and Mines.
4. If the Director of Industries and Mines or the officer authorised by him in this behalf, is of the opinion that any active dump causes or will cause damage to the agricultural or forest land, which cannot be prevented, he may by order in writing, direct to stop further dumping on such dump. No such order shall however be made unless the Lessee is afforded a reasonable opportunity of stating his case.

5. The Lessee shall undertake to rehabilitate the land left over after the mining operations are concluded, through soil conservation measures to the satisfaction of the Government and within such reasonable time as the Government may by an order in writing specify.
6. In the event of the failure on the part of the Lessee to undertake the aforesaid measures within the stipulated period, the Government without prejudice to any other action it may take against the Lessee, may take the requisite steps to rehabilitate the said land and recover the expenses incurred for such work from the Lessee as arrears of land revenue.
7. The Lessee shall undertake necessary measures to consolidate the dumps by planting suitable species of grass legumes, or trees, etc. as may be directed by the Director of Industries and Mines, from time to time.
8. The Lessee shall undertake to plant elsewhere within the leased area at least as many trees as are removed during the mining operations.
9. The Lessee shall not dump or allow it to be dumped any rejects at any point within a distance of 100 metres from the bank of any river or nallah and 50 metres from the lease boundary, except with the previous written permission of the Government.
10. The Lessee shall not discharge or allow it to be discharged any muddy and slimy water from the beneficiation/washing plant and shall provide settling tanks of proper design and adequate capacity for settling solids so that only decanted water may overflow.
11. The Lessee shall undertake the work of desilting of drains and streams outside the leased area periodically to prevent them from being choked and shall provide check dams to facilitate the settling of suspended solids.
12. The Lessee shall take necessary steps not to overload or allow it to be overloaded the trucks carrying the ore/rejects from the leased area to any loading point or stockyard.
13. The Lessee shall make and pay such reasonable compensation to the owner or tenant or occupant of the land or property situated in the leased area or in the vicinity of the leased area which is damaged or injured or disturbed as a result of mining operations or due to the flow of mining rejects, slimes or wastes from the mine as the case may be, as may be assessed by the Collector, South Goa in accordance with the law in force on the subject and shall indemnify or keep indemnified fully and completely the Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.
14. The Lessee shall obtain surface rights or obtain consent of the owner/occupier of land before entering the land for commencement of mining operations in the area.

M/s. Dempo Mining Corporation Ltd. shall on peril of revocation of this Order execute within a period of 180 days from the date of communication of this Order a deed of lease as contemplated under rule 31 of the Mineral Concession Rules, 1960.

## SCHEDULE

District	Taluka	T. C. No.	Villages	Area in hectares
North Goa	Bicholim	13/1941	Bordem, Maem and Lamgao	90,1389 Ha.

By order and in the name of the Governor of Goa.

B. N. Bhat, Under Secretary (Mines).

Panaji, 21st February, 1995.

## Department of Labour

Order

No. 28/36/88-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

V. G. Manerkar, Under Secretary (Labour).

Panaji, 25th October, 1991.

IN THE INDUSTRIAL TRIBUNAL, GOVERNMENT OF GOA  
AT PANAJI

(Before Shri M. A. Dhavale, Hon'ble Presiding Officer)

Ref. No. IT/37/88

Shri Sadu Savlo Kalangutkar

— Workman/Party I

V/s

M/s Rajaram Bandekar (Sirigao) Mines — Employer/Party II

Workman represented by Shri Raju Mangueshkar.  
Employer represented by Adv. M. S. Bandodkar.

Panaji, dated 30-9-1991.

## AWARD

In exercise of the powers conferred by clause (d) of Sub-Sec. (1) of Sec. 10 of the Industrial Disputes Act, 1947, the Government of Goa by its order No. 28/36/88-ILD dated 17th November, 1988 has referred the following issue for adjudication by this Tribunal:

"Whether the action of the management of M/s Rajaram Bandekar (Sirigao) Mines Private Limited, Vasco-da-Gama in terminating the services of Shri S. S. Kalangutkar, Civil Supervisor, with effect from 31-12-1987 is legal and justified.

If not, what relief the workman is entitled to?"

2. On receipt of this reference IT/37/88 was registered and the notices were issued to both the parties. Accordingly, Party I — S. S. Kalangutkar (hereinafter called as the 'Workman') appeared before this Tribunal and filed his claim statement at Exb. 2 wherein he has averred thus:

Party I was appointed on 2-7-77 to the post of Civil Supervisor by Party II, M/s Rajaram Bandekar (Sirigao) Mines Pvt. Ltd. (hereinafter called as the 'Employer'). As per the terms of the said appointment letter the workman joined services on 4-7-77. He was on probation of 6 months. He successfully completed his probation period and was eventually confirmed under the employer's letter dated 6-5-78. It is the say of the workman that his work was very satisfactory and during his tenure he had not received any memo or any show cause notice alleging any fault on his part. Sometime in the year 1986 the workman was in financial need and hence he obtained a loan of Rs. 5,000/- from the Goa Urban Bank Ltd. An arrangement was made for deduction of loan instalments from the workman's salary. It is the say of the workman that the employer made 18 monthly deductions of Rs. 250/- every month, from his salary. The deductions so made were to be deposited in the Bank. However, the employer neglected to pay the said Bank regularly and paid only 8 instalments while 10 instalments remained to be paid.

The workman brought this fault to the notice of the employer's management and informed it that instalments were not paid in the Bank in his account. Thereafter on 31-12-87 the employer informed the workman that his services stood terminated with immediate effect. Hence the workman made a complaint to the A.L.C. alleging that the termination of his service was illegal. However, there was no amicable settlement and hence a failure report was submitted to the Government in pursuance of which

the above mentioned issue has been referred to this Tribunal for adjudication.

3. Party II-Employer by its written statement at Exb. 3 resisted the workman's claim on several grounds which need not be reproduced in detail as ultimately the parties have arrived at a settlement.

4. The workman has also filed his rejoinder at Exb. 4 and on considering the pleadings my learned Predecessor (Shri S. V. Nevagi) framed the necessary issues which are at Exb. 6.

5. Thereafter the matter was posted for hearing which was adjourned on same dates because it was represented to the Tribunal that there was every possibility of a settlement being arrived at between the parties. Eventually, an amicable settlement was arrived at which has been duly recorded. The learned representatives for both the sides has submitted that in view of the settlement a consent award be passed in terms of the settlement. I have gone through the terms of the settlement and I have found that they are certainly in the interest of the workman and hence I accept the submissions made on behalf of both the sides and pass the following consent award.

#### ORDER

In view of the settlement arrived at between the parties the following consent award has been passed.

1. It is agreed by the parties that S. S. Kalangutkar will be paid a sum of Rs. 59,900.65 as per the workings made in Annexure 'A' to the settlement.

2. It is further agreed that out of the amount mentioned in Clause-1 Rs. 30,000/- shall be paid on the date of settlement.

3. It is further agreed that settlement balance amount shall be paid in the month of October, 1991. The amount mentioned on Clause-1 as per the Annexure 'A' to the settlement shall be the full and final settlement of all the claims of Shri S. S. Kalangutkar arising out of his employment and ref. No. IT/37/88 and Shri S. S. Kalangutkar confirms that he shall not have any further claim including any reinstatement or re-employment.

No order as to costs. Inform the Government accordingly about the passing of the award.

Sd/-

(M. A. Dhavale)  
Presiding Officer  
Industrial Tribunal